

Steven L. Weinstein  
steveattorney@comcast.net  
P.O. Box 27414  
Oakland, California 94602  
Tel: (510) 336-2181

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

**LOUIS FLOYD**, individually and on behalf  
of all others similarly situated,

Plaintiff,

v.

**SARATOGA DIAGNOSTICS, INC.**, a  
California corporation, and **THOMAS  
PALLONE**, an individual,

Defendants.

Case No. 5:20-cv-01520-LHK

**STATUS REPORT AND REQUEST TO  
VACATE CASE MANAGEMENT  
CONFERENCE**

Plaintiff Louis Floyd (“Floyd” or “Plaintiff”) respectfully provides the following status report and requests that the Court vacate the case management conference scheduled for May 12, 2021. In support of this request, Plaintiff states as follows:

1. Plaintiff filed his Class Action Complaint (“Complaint”) on March 1, 2020, Saratoga Diagnostics, Inc. (“Saratoga”) and Thomas Pallone (“Pallone”) (collectively “Defendants”). (Dkt. 1.)

2. On March 2, 2020, the Court issued summonses directed to Defendants. (Dkt. 5.) Thereafter, Plaintiff arranged for both defendants to be served via process server.

3. To date, Plaintiff has attempted service on both Defendants on nine (9) occasions as well as additional attempt via mail.

4. On July 10, 2020, based on his inability to effectuate service, Plaintiff filed a Renewed Motion for Order Regarding Alternative Service on Defendants. (Dkt. 23.)



By: /s/ Taylor T. Smith  
One of Plaintiff's Attorneys

Steven L. Weinstein  
steveattorney@comcast.net  
P.O. Box 27414  
Oakland, CA 94602  
Tel: (510) 336-2181

Patrick H. Peluso (*admitted pro hac vice*)  
ppeluso@woodrowpeluso.com  
Taylor T. Smith (*admitted pro hac vice*)  
tsmith@woodrowpeluso.com  
Woodrow & Peluso, LLC  
3900 East Mexico Avenue, Suite 300  
Denver, Colorado 80210  
Telephone: (720) 213-0676  
Facsimile: (303) 927-0809

*Counsel for Plaintiff and Putative Class*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the above titled document was served upon counsel of record by filing such papers via the Court's ECF system on May 5, 2021.

/s/ Taylor T. Smith